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To: Commissioner of Patents
USPTO**Date:** July 19, 2005**Fax No.:** (703) 746-4000**Pages:** 7, including this cover sheet**From:** Pasquale Musacchio, Intellectual Property Counsel
Siemens IPD**Subject:** Application No. 10/736,704

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Atty. Dkt. No. 2002P20468US01

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Attached please find:

- 1.) Issue Fee Payment: PART B – FEE (S) TRANSMITTAL
- 2.) Change of Correspondence Address
- 3.) Comments on Statements of Reasons for Allowance

CERTIFICATE OF TRANSMISSION PURSUANT TO 37 CFR 1.8

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Ruth Rocky

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Luft et al.
Serial Number: 10/736,704
Filed: December 17, 2003
Examiner: Wright, Dirk
Group Art Unit: 3681
Atty Docket No: 2002P20468US01
Title: ELECTRONIC TRANSMISSION THROTTLE VALVE ACTUATOR

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF TRANSMISSION PURSUANT TO 37 CFR 1.8

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COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Sir:

In response to the Examiner's Statement of Reasons for Allowance set forth in the Notice of Allowability mailed April 27, 2005, Applicant submits the following remarks.

The Examiner's statement regarding reasons for allowance makes a characterization as to the primary reasons for allowance. It is believed that such a characterization of the claims does not properly represent Applicant's claimed invention. As such, Applicant does not agree with the Statement of Reasons for Allowance.

With respect to independent claim 1, Applicant asserts that this claim and any claims dependent therefrom are allowable since, as previously set forth, Applicant's invention is directed to:

"An automatic transmission for a vehicle comprising:

a housing having a support portion formed on an outside surface of the housing, and a coupling portion provided proximate the support portion;

a gear transmission unit disposed in the housing having at least one hydraulic actuator controllable to provide a plurality of output speeds;

a transmission throttle valve operable to regulate the hydraulic pressure provided to the hydraulic actuators, the transmission throttle valve including a transmission throttle valve shaft proximate the coupling portion; and

an electromagnetic actuator coupled to the support portion of the housing, the electromagnetic actuator coupled to the transmission throttle valve shaft to regulate the hydraulic pressure of the transmission throttle valve."

With respect to independent claim 10, Applicant asserts that this claim and any claims dependent therefrom are allowable since, as previously set forth, Applicant's invention is directed to:

"An electronic transmission throttle valve actuator comprising:

a housing having an actuator shaft so that the actuator shaft moves a transmission throttle valve;

an electrical connector formed on the housing;

a position sensor that provides a signal indicating the position of the actuator shaft;

an electric motor disposed in the housing the motor connectable to a control unit via the electrical connector;

a reduction transmission disposed in the housing and connected to the electric motor and the actuator shaft via a sector gear mounted on the actuator shaft; and

a reversing gear unit disposed in the housing, the reversing gear unit coupled to the actuator shaft to drive an output gear having a flexible shaft coupling."

With respect to independent claim 18, Applicant asserts that this claim and any claims dependent therefrom are allowable since, as previously set forth, Applicant's invention is directed to:

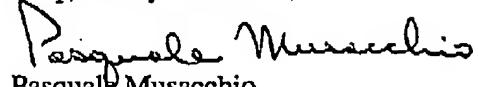
"A method of actuating a transmission throttle valve disposed in an automatic transmission, the method comprising:

providing a shaft coupled to the transmission throttle valve so that the transmission throttle valve is controlled by the shaft; and

positioning the shaft with an electric motor disposed external to the automatic transmission."

Applicant does not acquiesce that patentability resides in the characterization expressed
in the Statement of Reasons for Allowance.

Respectfully submitted,


Pasquale Musacchio

Reg. No. 36,876

Dated: JULY 19, 2005

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